

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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United States of America,

Civil No. 07-1850 (RHK/RLE)

Plaintiff,

**ORDER**

v.

Robert F. Henderson, et al.,

Defendants.

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The United States has served and filed its “Motion for Summary Judgment against Bruce Weinke,” and scheduled it for hearing before the undersigned in Duluth, Minnesota, on May 19, 2008. The Motion was duly served upon Defendant Weinke by U.S. Mail on April 4, 2008. Local Rule 7.1(b)(2) requires a responding party to serve and file a responsive Memorandum “at least 20 days prior to the hearing.” Defendant has failed to file a responsive memorandum to the pending Motion.

Based upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. Plaintiff’s Motion for Summary Judgment against Bruce Weinke (Doc. No. 72) is **GRANTED**;
2. It is determined that Bruce Weinke has no right, title or interest in the property identified in the Complaint as Parcel A, with the street address of 8631 Dove Street, Breezy Point, Minnesota, and legally described as Lot 167 and the

Westerly 24 feet of Lot 168 of Fifteenth Addition to Breezy Point Estates,  
Crow Wing County, Minnesota; and

3. A sale of said property shall be free and clear of any interest of Bruce Weinke.

Dated: May 19, 2008

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge